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REMARKS/DISCUSSION OF ISSUES

In the Non-Final Office Action, Examiner Janvier rejected pending claims 1-21 under 35 U.S.C. §103(a) as being unpatentable by U.S. Patent No. 6,647,269 B2 to *Hendrey* et al. in view of U.S. Patent No. 6,487,538 B1 to *Gupta* et al. The Applicant responds to this rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112.

As to the §103(a) rejection of pending claims 1-21, the Applicant has thoroughly considered Examiner Janvier's remarks concerning the patentability of pending claims 1-21 over *Hendrey* in view of *Gupta*. The Applicant has also thoroughly read both *Hendrey* and *Gupta*. To warrant this §103(a) rejection of pending claims 1-21, all the claim limitations recited in claims 1-21 must be taught or suggested by the combination of *Hendrey* and *Gupta*. See, MPEP §2143. The Applicant respectfully traverses this §103(a) rejection of claims 1-21, because *Hendrey* and *Gupta* in combination fail to disclose the following limitations of amended independent claims 1, 8 and 15:

1. "receiving one or more keywords from the mobile station for purposes of pulling at least one advertisement to the mobile station" as recited in independent claim 1;
2. "a mobile station including means for transmitting one or more keywords for purposes of pulling at least one advertisement to said mobile station" as recited in independent claim 8; and
3. "computer readable code for receiving one or more keywords from the mobile station for purposes of pulling at least one advertisement to the mobile station" as recited in independent claim 15.

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As to the traversal, the scopes of amended independent claims 1, 8 and 15 encompass a "pulling" of advertisements by a mobile station, and the teachings of *Hendrey* and *Gupta*, alone and in combination, encompass a "pushing" of advertisements to a mobile station. This distinction between the present invention and the combination of *Hendrey* and *Gupta* is unequivocal in view of a proper operational understanding of the *Hendrey* and *Gupta*.

Specifically, *Hendrey* discloses a location sensitive "pushing" advertisement technique for triggering a "push" of an advertisement from a business to a mobile station in response to the mobile station moving within a certain radius of the business. The advertisement "push" as taught by *Hendry* can filter a prospective advertisement based on a customer profile corresponding to the mobile station and a profile corresponding to the business. See, *Hendrey* at column 5, lines 13-24.

Gupta discloses a URL request "pushing" advertisement technique for triggering a push of a local advertisement from a proxy to a client in response to a URL request from the client. The advertisement "push" as taught by *Gupta* involves a target advertising based on a profile information of the client including any internet searches performed by the client. See, *Gupta* at column 6, line 10-44.

Thus, at best, the combination of *Hendrey* and *Gupta* teaches a location sensitive "pushing" advertisement technique of *Hendry* for triggering a "push" of an advertisement from a business to a mobile station in response to the mobile station moving within a certain radius of the business wherein a prospective advertisement can be filtered based on a customer profile that includes internet searches performed via the mobile station by the client as taught by *Gupta*. Clearly, the combination of *Hendrey* and *Gupta* teaches away from a "pulling" advertisement technique for triggering a "pull" of one or more advertisements to the mobile station based on one or more keywords transmitted by the mobile station for purposes of pulling the advertisement(s) to the mobile station as required by amended independent claims 1, 8 and 15. Withdrawal of the rejection of independent claims 1, 8 and 15 under 35 U.S.C. §103(a) as being unpatentable over *Hendrey* in view of *Gupta* is therefore respectfully requested.

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Claims 2-7 depend from amended independent claim 1. Therefore, dependent claims 2-7 include all of the elements and limitations of amended independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 2-7 are allowable over *Hendrey* in view of *Gupta* for at least the same reason as set forth herein with respect to amended independent claim 1 being allowable over *Hendrey* in view of *Gupta*. Withdrawal of the rejection of dependent claims 2-7 under 35 U.S.C. §103(a) as being unpatentable over *Hendrey* in view of *Gupta* is therefore respectfully requested.

Claims 9-14 depend from amended independent claim 8. Therefore, dependent claims 9-14 include all of the elements and limitations of amended independent claim 8. It is therefore respectfully submitted by the Applicant that dependent claims 9-14 are allowable over *Hendrey* in view of *Gupta* for at least the same reason as set forth herein with respect to amended independent claim 8 being allowable over *Hendrey* in view of *Gupta*. Withdrawal of the rejection of dependent claims 9-14 under 35 U.S.C. §103(a) as being unpatentable over *Hendrey* in view of *Gupta* is therefore respectfully requested.

Claims 16-21 depend from amended independent claim 15. Therefore, dependent claims 16-21 include all of the elements and limitations of amended independent claim 15. It is therefore respectfully submitted by the Applicant that dependent claims 16-21 are allowable over *Hendrey* in view of *Gupta* for at least the same reason as set forth herein with respect to amended independent claim 15 being allowable over *Hendrey* in view of *Gupta*. Withdrawal of the rejection of dependent claims 16-21 under 35 U.S.C. §103(a) as being unpatentable over *Hendrey* in view of *Gupta* is therefore respectfully requested.

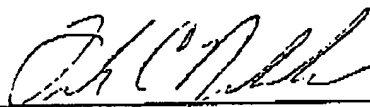
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CONCLUSION

The Applicants respectfully submit that claims 1-21 as amended herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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CARDINAL LAW GROUP
Suite 2000
1603 Orrington Avenue
Evanston, Illinois 60201
Phone: (847) 905-7111
Fax: (847) 905-7113



Frank C. Nicholas
Registration No. 33,983
Attorney for Applicants